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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 BOBBY LEE DICKERSON,) CASE NO. C09-1678-JCC-MAT
09)
Petitioner,)
10)
v.) ORDER STRIKING PETITIONER'S
11) MOTION TO DISMISS
E. BRADFORD BALES, et al.,)
12)
Respondents.)
_____)

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14 Petitioner filed a "motion to dismiss"(Dkt. 15), which the Court interprets to be a
15 motion for summary judgment on his 28 U.S.C. § 2241 habeas petition. The Court notes that
16 petitioner filed his summary judgment motion on the same day the Court granted him leave to
17 proceed *in forma pauperis*, ordered that respondents be served, and directed respondents to file
18 an answer to the petition. (Dkts. 12, 13.). The Court therefore STRIKES petitioner's motion
19 for summary judgment (Dkt. 15) as prematurely filed but grants petitioner leave to renew the
20 motion at a later date. See Fed. R. Civ. P. 56(a).

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01 DATED this 16th day of February, 2010.

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04 Mary Alice Theiler
05 United States Magistrate Judge
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